

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
LAS VEGAS, NV**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**VS.**

**MICHAEL RODNEY REIGER**

**Defendant.**

**Case No. 2:14-CR-0380 APG-NJK**

# MINUTES

**Date: December 3, 2015**

**PRESENT:**

THE HONORABLE JENNIFER A. DORSEY, UNITED STATES DISTRICT JUDGE

DEPUTY CLERKS: EILEEN WOOD      COURT REPORTER: HEATHER NEWMAN

PRESENT FOR PLAINTIFF: JIAMIN CHEN, ANDREW DUNCAN, AGENT JAMES  
TOKOS

PRESENT FOR DEFENDANTS: REBECCA LEVY, SHARI KAUFMAN

## JURY TRIAL - DAY 3

Proceedings begin at 9:04 AM outside the presence of jurors to discuss the trace report. Counsel and Mr. Reiger are present. Ms. Kaufman makes an oral motion for dismissal. The Court hears argument. Defendant's Exhibits A, B, C, D, F, G and L are submitted for the Court's consideration on Defendant's oral motion to dismiss.

10:00 AM - Court stands in recess.

10:10 AM - Court reconvenes outside the presence of the jury. For reasons stated on the record, the Court **DENIES** Defendant's Motion to Dismiss. The Court further finds that the trace report is not a Brady violation, nor is it a violation of Rule 16. Ms. Kaufman makes a verbal motion for a one week continuance to further investigate a witness; **DENIED**. The Court **DENIES** Defendant's Motion to Strike the testimony of ATF Agent Tokos and further **ORDERS** the Government to turn over the Grand Jury testimony of ATF Agent Tokos to the Defendant. The Court **GRANTS** Defendant's Motion to Supplement the Record (#55).

The Court canvasses the Defendant regarding his testifying. Defendant will not testify.

Ms. Kaufman requests this trial be continued in order to research Agent Tokos' Grand Jury testimony; **DENIED.**

10:48 AM - Court stands in recess.

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11:07 AM - Court reconvenes outside the presence of the jury.

Defense **RESTS**. Government has no rebuttal witnesses. Jurors are excused in the jury room until 12:30 PM.

The Court discusses jury instructions with counsel.

11:46 AM - Court stands in recess.

12:38 PM - Court reconvenes in the presence of the jury. The Court instructs the jury on the jury instructions and the order of deliberations. Ms Chen presents closing on behalf of the Government. Ms. Levy presents closing on behalf of the Defendant. Mr. Duncan presents rebuttal.

1:56 PM - Bailiff is sworn to take charge of the jury. The jury retires to deliberate.

3:44 PM - Jury sends out a question. The Court convenes a telephonic conference with counsel and sends an answer back to the jury room.

6:00 PM - Jury advises they have a verdict. Court reconvenes in the presence of the jury. Counsel and Mr. Reiger are present. The verdict is read in open court. The jury finds the Defendant Michael Reiger **NOT GUILTY** of Count 1 of the Indictment. The Court thanks and excuses the jury from further jury service.

/s/ **Eileen Wood**  
**Deputy Clerk**